

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-v-

Case No. 2:12-cv-11947
Hon. David M. Lawson

SEVENTY EIGHT THOUSAND SIX HUNDRED
SEVENTY DOLLARS AND NINETY CENTS
(\$78, 670.90) IN U.S. CURRENCY FROM CITIZENS
BANK ACCOUNT #4534939841, *et al.*,

Defendants *in rem.*

**CLAIMANT DEEPAK KUMAR'S ANSWER
TO COMPLAINT FOR FORFEITURE**

For his Answer to the Complaint for Forfeiture herein, claimant Deepak Kumar states as follows:

1. Claimant neither admits nor denies the allegations of Paragraph (1) of the complaint herein, such allegations consisting of conclusions of law, and leaves plaintiff to its proofs.
2. Claimant neither admits nor denies the allegations of Paragraph (2) of the complaint herein, such allegations consisting of conclusions of law, and leaves plaintiff to its proofs.
3. Claimant neither admits nor denies the allegations of Paragraph (3) of the complaint herein, such allegations consisting of conclusions of law, and leaves plaintiff to its proofs.
4. Claimant neither admits nor denies the allegations of Paragraph (4) of the complaint herein, such allegations consisting of conclusions of law, and leaves plaintiff to its proofs.
5. Claimant neither admits nor denies the allegations of Paragraph (5) of the complaint herein, such allegations consisting of conclusions of law, and leaves plaintiff to its proofs.

6. Claimant neither admits nor denies the allegations of Paragraph (6) of the complaint herein, such allegations consisting of conclusions of law, and leaves plaintiff to its proofs.

7. Claimant admits the allegations in Paragraph (7) of the complaint.

8. Claimant neither admits nor denies the allegations of Paragraph (8) of the complaint herein, such allegations consisting of conclusions of law, and leaves plaintiff to its proofs.

9. Claimant denies the conclusory allegations of Paragraph (9) of the complaint, because they are not true, and, as to the extended recitation of factual allegations which follows, leaves plaintiff to its proofs.

10. In answer to the language of incorporation contained in Paragraph (10) of the complaint, claimant incorporates each and every response thereto, as hereinabove set forth.

11. Claimant denies the allegations of Paragraph (11) of the complaint, because they are not true.

WHEREFORE, claimant respectfully prays that this Honorable Court enter a Judgment of no cause of action herein as to the defendant property as to which he has asserted his claims and order such property restored to her, together with costs and attorney fees herein, and such other and further relief as may be appropriate in the premises.

AFFIRMATIVE DEFENSES

Claimant asserts herein the following Affirmative Defenses:

1. Plaintiff lacks probable cause for the institution of this forfeiture proceeding.
2. The allegations of the complaint for forfeiture herein are predicated upon information acquired through unlawful searches and seizures conducted in violation of legitimate expectations of privacy guarantees to the claimant by the Constitution and laws of the United States.
3. The forfeiture of the defendant property sought herein would be a disproportionately harsh sanction in relation to any connection which that property may be alleged to have had with any unlawful or prohibited activities, and would therefore offend the guarantees of the Fifth, Eighth, and Fourteenth Amendments to the United States Constitution.

JURY DEMAND

Claimant respectfully requests a trial by jury in this case.

Respectfully submitted,

s/Mark J. Kriger (P30298)
LaRene & Kriger, P.L.C.
Attorney for Claimant
645 Griswold, Suite 1717
Detroit, Michigan 48226
(313) 967-0100

DATED: December 18, 2012

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2012 I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notice of said filing to all attorneys of record.

s/Mark J. Kriger
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